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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/281,969	03/31/1999	TAKESHI FUNAHASHI	Q53829	7976

7590 12/19/2002

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EXAMINER

BRINICH, STEPHEN M

ART UNIT	PAPER NUMBER
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2624

DATE MAILED: 12/19/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/281,969

Applicant(s)

FUNAHASHI ET AL.

Examiner

Stephen M Brinich

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 17 October 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21, 23 and 24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 5, 7-21 and 24 is/are allowed.
- 6) ☒ Claim(s) 1-4, 6 and 23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
2. Claims 1-4, 6, & 23 are rejected under 35 U.S.C. 102(e) as being anticipated by Yamakita et al.

Re claims 1-4, 6, & 23, Yamakita et al. discloses (Figure 5 & column 11, line 59 - column 14, line 56; particularly column 11, lines 59-61 and column 12, lines 62-63) an image processor in which an image signal is read, an iridial granule is extracted on the reading side to provide a normalization processing condition used in the subsequent processing. The image signal is then received by a processor, and the processor determines normalization parameters with which to perform normalization processing by processing (and thereby changing) the iridial granule.

Allowable Subject Matter

3. Claims 5, 7-21, & 24 are allowed.
4. The following is a statement of reasons for the indication of allowable subject matter:

Re claims 5, 7, 8, & 17, the art of record does not teach or suggest separate image data and reduced image data generated

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from the image data by a reading side normalization processing condition determining means.

Re claims 9-15, 18, & 24 (and dependent claims 19-21), the art of record does not teach or suggest a determination of whether a normalization processing condition falls within a predetermined range in conjunction with the determination of a normalization processing condition for an image.

Response to Arguments

5. Applicant's arguments filed 17 October 2002 have been fully considered but they are not persuasive.

Applicant argues (Paper #5: page 3, line 15 - page 4, line 2; page 4, line 19 - page 5, line 10; page 5, line 17 - page 6, line 4; and page 6, lines 15-17) that Yamakita et al. does not disclose the two recited normalization processing condition determining means or (Paper #5: page 4, lines 3-14 and page 5, lines 11-16) the recited conversion of normalization parameters.

However, as noted above, Yamakita et al. discloses two normalization processing condition determining means, in the form of the iridial granule extractor and the processor which converts the iridial granule data to normalization parameters (θ and d).

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Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stephen M. Brinich at 703-305-4390. The examiner can normally be reached on weekdays 7:00-4:30, alternate Fridays off.

If attempts to contact the examiner are unsuccessful, supervisor David Moore can be contacted at 703-308-7452.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Tech Center 2600 Customer Service center at 703-306-0377.

Faxes pertaining to this application should be directed to the Tech Center 2600 official fax number, which is 703-872-9314.


Stephen M Brinich
Examiner
Art Unit 2624

smb
December 17, 2002